



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,729	03/18/2004	Bao Tran	AFL-028	8262

31688 7590 03/27/2007  
TRAN & ASSOCIATES  
6768 MEADOW VISTA CT.  
SAN JOSE, CA 95135

EXAMINER
----------

KINDRED, ALFORD W

ART UNIT	PAPER NUMBER
----------	--------------

2163

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/27/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/804,729

Applicant(s)

TRAN ET AL.

Examiner

Alford W. Kindred

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This action is responsive to communications: Reconsideration, filed on 01/14/07.  
This action is made final.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kerven et al., US# 20020042784, in view of Smith, US# 20040068527.

As per claims 1, 14-15, and 31, Kerven et al. teaches "receiving a search query for IP; identifying a plurality of IP documents responsive to the search query" (see paragraph [0015] and [0027]) "assigning a score to each document based on at least the citation information; and organizing the documents based on the assigned scores" (see paragraph [0027] and [0030]). Kerven does not explicitly teach "usage information including the number of users who have visited document . . . score is based on rating by user who visited the document." Smith teaches "usage information including the number of users who have visited document . . . score is based on rating by user who visited the document" (see paragraph [0021], [0035], and [0119]). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Kerven and Smith, because using the steps of "usage information

including the number of users who have visited document . . . score is based on rating by user who visited the document”, would have given those skilled in the art the tools to monitor and rate elements regarding to the visits and scoring via rating of web entities. This gives users the advantage of receiving the most accurate data regarding the visits and assigned rating more efficiently.

As per claims 2, 21-23, Kerven et al. teaches “wherein the documents are hyperlinked pages from the world wide web” (see paragraph [0007] and [0010]).

As per claims 3-4, and 24, Kerven et al. teaches “wherein the usage information for a document comprises usage information including the number of users who have visited the document” (see paragraph [0015] and [0028]).

As per claim 5, Kerven et al. teaches “wherein the usage information for a document excludes certain predefined users” (see paragraph [0027]).

As per claims 6-9, Kerven et al. teaches “wherein the usage information for a document is weighted based on the nature of user . . .” (see paragraph [0027]-[0029]).

As per claims 10-13 and 16, Kerven et al. teaches “wherein the usage information for a document is weighted based on the nature of the visit . . . access to the documents . . .” (see paragraph [0027]-[0029], whereas Kerven’s teachings of usage utilization information includes the tracking of visits, as well as the frequency of visits as illustrated in applicant’s claim language.

As per claims 17-19, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-4 and are similarly rejected

As per claim 20, Kerven et al. teaches "organizing the documents based on the usage information and the search query" (see paragraph [0027]-[0028]).

As per claim 25, Kerven et al. teaches "performing a network analysis on the documents" (see paragraph [0018]-[0019]).

As per claims 26-27, Kerven et al. teaches "receiving as a query one or more keywords or assignees to be searched; searching the query in Issued Patent or Published Application databases; retrieving cited prior art patents for each patent found in search results; updating the query by adding assignees from the cited prior art patents; and running a second search using the updated query" (see paragraph [0068]-[0070]).

As per claim 28, Kerven et al. teaches "clusterizing patents according to word similarity" (see paragraph [0022] and [0025]).

As per claims 29-30, Kerven et al. teaches "generating a visualization of the patents for display on a screen or plotting on a large format plotter" (see paragraph [0068] and [0114]).

As per claims 32-33, Kerven et al. teaches "caching results from prior IP maps in a remote computer . . ." (see paragraph [0037], [0068] and [0070]).

As per claim 34 and 37, Kerven et al. teaches "distributing a search over a plurality of client computers . . . IP user community" (see paragraph [0025], [0016]-[0018] and [0068]).

As per claim 35, Kerven et al. teaches "wherein one of the client computers is located behind a firewall, further comprising bypassing the firewall in sending distributed

search results to a remote computer" (see paragraph [0003], [0006] and [0020]).

As per claim 36, Kerven et al. teaches "storing a patent at one or more local computers; and requesting the patent from one of the local computers in response to a request for the patent" (see paragraph [0022] and [0024]).

As per claims 38-40, Kerven et al. teaches "generating search metadata by an independent agent using one of latent semantic indexing . . . using the generated search metadata . . ." (see paragraph [0024], [0058]-[0059] and [0070]).

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-40 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

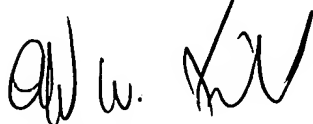
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2163

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Alford W. Kindred', with a stylized flourish at the end.

Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100